

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML Law Group, P.C.
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Main Phone: 609-250-0700
dcarlon@kmlawgroup.com
Attorneys for Secured Creditor
Carisbrook Asset Holding Trust

In Re:
Robert Aidelbaum, Mildred Morales

Debtors.



Order Filed on December 6, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-20417 RG

Adv. No.:

Hearing Date: 10/03/2018 @ 10:30 a.m..

Judge: Rosemary Gambardella

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (3) is hereby
ORDERED.

DATED: December 6, 2018

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

(Page 2)

Debtor: Robert Aidelbaum, Mildred Morales

Case No: 18-20417 RG

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Carisbrook Asset Holding Trust, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 45S River Drive 3003, Jersey City, NJ, 07310, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Andre L. Kydala, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of November 13, 2018, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due June 2018 through November 2018 with \$3,600.00 in suspense for a total post-petition default of \$18,170.46 (6 @ \$3,628.41 less suspense balance of \$3,600.00)

It is further **ORDERED, ADJUDGED and DECREED** that the debtor is to obtain a loan modification by December 27, 2018 or as may be extended by extension of the loss mitigation program; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$18,170.46 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume December 2018, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan; and

(Page 3)

Debtor: Robert Aidelbaum, Mildred Morales

Case No: 18-20417 RG

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief
is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Robert Aidelbaum
Debtor

Case No. 18-20417-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Dec 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 14, 2018.

db ++++ROBERT AIDELBAUM, 45 RIVER DR S APT 3003, JERSEY CITY NJ 07310-3738
(address filed with court: Robert Aidelbaum, 45-3003 River Drive South,
Jersey City, NJ 07310)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 14, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 12, 2018 at the address(es) listed below:

Andre L. Kydala on behalf of Debtor Robert Aidelbaum kydalalaw@aim.com, kydalalaw@aim.com
Charles H. Jeanfreau on behalf of Creditor CarePoint Health - Physican GSHA
Charlesj@w-legal.com, BNCmail@w-legal.com
Denise E. Carlon on behalf of Creditor CARISBROOK ASSET HOLDING TRUST dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin Gordon McDonald on behalf of Creditor CARISBROOK ASSET HOLDING TRUST
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6